

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

M..J., a minor, by and through)	
EARNESTINE HOLLINSHEd as next friend,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08-CV-165 CAS
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Lewis M. Blanton filed February 9, 2009. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the Court reverse the decision of the Commissioner denying Supplemental Security Income Benefits under Title XVI of the Social Security Act, and remand the case for further administrative proceedings and development of the record pursuant to sentence four of 42 U.S.C. § 405(g), as detailed in the Report and Recommendation. Neither party has filed an objection to the recommendation and the time to do so has passed.

After careful review of the matter, the Court concurs with the recommendation of the Magistrate Judge that the Commissioner's decision in this matter should be reversed and this case remanded for further administrative proceedings and development of the record pursuant to sentence four of 42 U.S.C. § 405(g).


Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 21]

IT IS FURTHER ORDERED that the decision of the Commissioner denying Supplemental Security Income Benefits under Title XVI of the Social Security Act is **REVERSED**.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner for further proceedings consistent with the Report and Recommendation.

An appropriate judgment of remand will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 24th day of February, 2009.